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Attorneys for Plaintiff Belkin International, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BELKIN INTERNATIONAL, INC.,
Plaintiff,
v.
ACROX TECHNOLOGIES CO., LTD.,
Defendant.

ECF CASE
Civil Docket No.
Jury Trial Demanded

COMPLAINT

Plaintiff Belkin International, Inc., for its Complaint against Defendant Acrox Technologies Co., Ltd., hereby demands a jury trial and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action for infringement of United States Patent No. 7,167,372 ("the '372 patent") under the patent laws of the United States, 35 U.S.C. § 1, *et seq.* A true and correct copy of the '372 patent is attached hereto as Exhibit A.

THE PARTIES

1. Plaintiff Belkin International, Inc. (“Belkin”) is a company organized and existing under the laws of Delaware, having its principal place of business at 12045 East Waterfront Drive, Playa Vista, California 90094.

2. Upon information and belief, Defendant Acrox Technologies Co., Ltd. (“Acrox”) is a company organized and existing under the laws of Taiwan with its principal place of business at 4F, No. 89, Minshan St., Neihu Dist., Taipei 114, Taiwan, R.O.C.

JURISDICTION AND VENUE

3. The Court has jurisdiction over the subject matter of the patent claims pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Acrox pursuant to Cal. Code Civ. Proc. § 410.10 because Acrox has purposefully directed, and continues to purposefully direct, activities at California, including in this District, by regularly doing or soliciting business and engaging in other persistent, systematic courses of conduct.

5. Specifically, Acrox has asserted patent infringement claims within this state. In addition, upon information and belief, Acrox has entered into supply contracts with customers and supplies infringing products to this District with the intent and expectation that the infringing products will be sold in the state, including this District. Furthermore, upon information and belief, Acrox derives substantial revenue from infringing products sold in this state and expects or should reasonably expect its acts to have consequences in California.

6. Acrox projects these activities into California, including in this District, to purposefully avail itself of the benefits and protections of California law, and Belkin's cause of action arises out of that activity within California. Accordingly, this Court's exercise of jurisdiction over Acrox is reasonable and fair.

7. Alternatively, to the extent that Acrox is not subject to personal jurisdiction in this or any other state's courts of general jurisdiction, this District has personal jurisdiction over Acrox pursuant to Federal Rule of Civil Procedure 4(k)(2) because Belkin asserts a patent claim that

arises under federal law and the exercise of that jurisdiction is consistent with the laws and Constitution of the United States.

8. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

FACTUAL BACKGROUND

9. Belkin through its three brands—Belkin, Linsys, and WeMo—is a leading provider of consumer products that help people realize the power of technology and make their lives better, easier, and more fulfilling. Since 1983, Belkin has intentionally developed a reputation for providing products that are renowned for their simplicity and ease of use. This includes USB hubs, which Belkin recognized as a vital component of keeping people’s electronic devices easily connected.

10. On January 23, 2007, the U.S. Patent and Trademark Office (“USPTO”) duly and legally issued U.S. Patent No. 7,167,372, entitled “Universal Serial Bus Hub and Method of Manufacturing Same.” The ’372 patent names Kenneth Mori and Ernesto Quinteros as co-inventors. The ’372 patent is valid and enforceable. Belkin owns all right, title, and interest in and to the ’372 patent, and possesses all rights of recovery under the ’372 patent.

11. The '372 patent describes a universal serial bus ("USB") hub with a novel design that, among other things, represents an improvement over the prior art hub design that included ports that were difficult to access. ('372 Patent at 1:12-28).

12. Specifically, Belkin's patented invention for USB hubs makes it easier for users to connect their peripheral devices to a USB hub by placing the USB ports in a location on the hub that is more accessible to the user.

13. Acrox is a manufacturer who designs, manufactures, and sells a wide range of consumer products to customers that resell the products with their own brands, including one such customer in Fremont, California. Upon information and belief, Acrox's products include USB hubs.

14. Upon information and belief, Acrox serves as an original equipment manufacturer for a variety of USB hubs, including but not limited to the SIIG USB 2.0 10-Port Hub, Cerulian 10 Port USB 2.0 Top Loading Hub, Cerulian 7 Port USB 2.0 Top Loading Hub, UA1 Top Loading

Hub 7 Ports, Sitecom USB Hub 7-Port-PC, UAB Top-Loading Hub 7 Ports, iBall USB Hub Piano 423 USB 4 Port USB Hub, and UAA Top-Loading Hub 4 Ports (collectively, “USB hub products”).

15. Upon information and belief, Acrox imports such USB hub products into the United States, including but not limited to various locations in California, for sale to consumers throughout the United States, including in this District.

COUNT ONE

(Infringement of the '372 Patent)

16. Belkin incorporates by reference as if fully set forth herein the allegations set forth in Paragraphs 1-15 of this Complaint.

17. Acrox has directly infringed and continues to directly infringe at least claims 1 and 2 of the '372 patent by making, using, selling, and/or offering for sale in the United States and/or importing into the United States its USB hub products.

18. For example, claim 1 of Belkin's patented invention requires a housing comprising a top portion; a bottom portion opposite the top portion; a first side between the top portion and the bottom portion; and a second side between the top portion and the bottom portion; a first universal serial bus port at the top portion; and a second universal serial bus port at the second side; wherein: the top portion comprises a first region and a second region; the first region is higher than the second region; and the first universal serial bus port is at the first region. At least some of these limitations are depicted in Fig. 1 of the '372 patent, which is reproduced below.

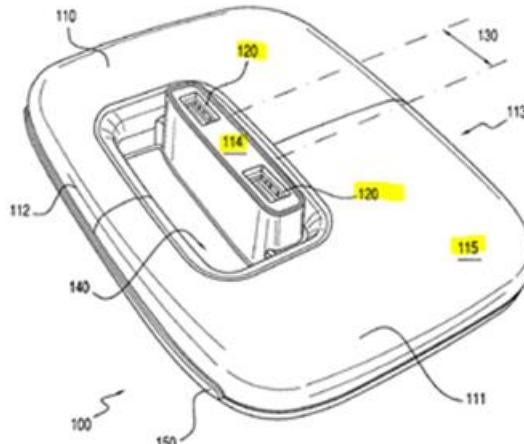
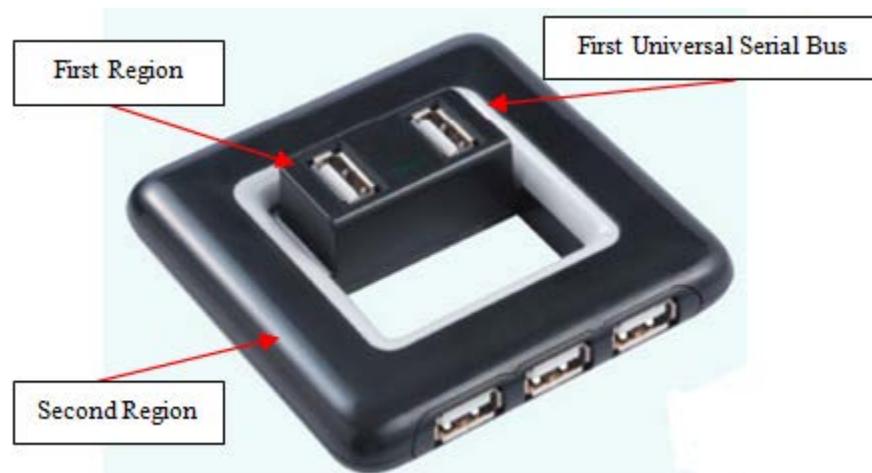
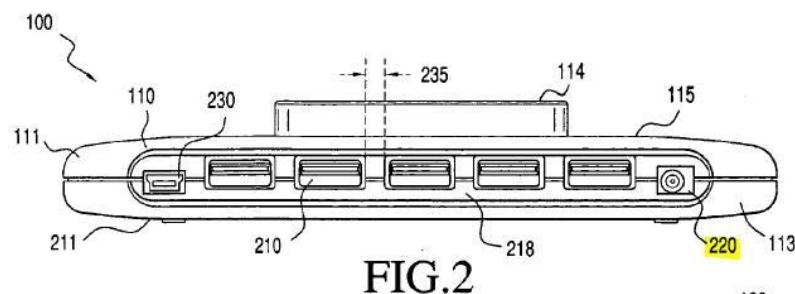


FIG. 1

1 19. As shown below, by way of example, Acrox's USI Stack-up 7 Port Hub infringes
 2 claim 1 of the '372 patent because it satisfies the limitations of claim 1 discussed above and
 3 includes, among other things, a first region that is higher than the second region, and the USB
 4 ports are located at the first region.



15 20. By way of further example, claim 2 describes the "universal serial bus hub of claim
 16 1 further comprising: a power port [220] at the second side [113]." ('372 patent, 6:24-25.) The
 17 power port is depicted below.



24 21. Upon information and belief, Acrox's UAC Top-Loading Hub 10 Ports infringes
 25 claim 2 of the '372 patent because it satisfies claim 1 and also has a power port on the second side
 26 as shown by the blue circle in the below photo.

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UAC Top-Loading Hub 10 Ports

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22. Upon information and belief, Acrox also manufactures infringing products for its customers. For example, the SIIG USB 2.0 10-Port Hub is nearly identical to the Acrox product, as the below photographs show. The SIIG product meets the limitations of claim 1 discussed in paragraph 20.

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SIIG Product

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Acrox Product

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UAC Top-Loading Hub 10 Ports

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23. Acrox's infringement has caused and is continuing to cause damage and irreparable injury to Belkin, and Belkin will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.

24. Belkin is entitled to a judgment that Acrox infringed Belkin's '372 patent, and to monetary and injunctive relief for such infringement.

PRAAYER FOR RELIEF

WHEREFORE, Belkin respectfully requests the following relief:

1. Judgment that Acrox has directly infringed the '372 patent.
2. A permanent injunction prohibiting Acrox and all affiliates, employees, agents, directors, attorneys, successors, assigns, and all those acting on behalf of or in active participation with any of them from making, using, selling, and/or offering for sale in the United States, and/or importing into the United States the infringing products, or from otherwise using the '372 patent;
3. A permanent injunction prohibiting Acrox and all affiliates, employees, agents, directors, attorneys, successors, assigns, and all those acting on behalf of or in active participation with any of them from marketing or selling the infringing products in the United States;
4. An award to Belkin of damages resulting from Acrox's acts of patent infringement in accordance with 35 U.S.C. § 284;
5. To the extent that Belkin is the prevailing party and it is determined that this is an exceptional case, an award to Belkin its expenses, disbursements, and reasonable attorney's fees in accordance with 35 U.S.C. § 285 and all other applicable statutes, rules, and common law;
6. An award to Belkin of pre-judgment and post-judgment interest; and
7. Such other and further relief as this Court may deem just and proper.

DEMAND FOR A JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Belkin respectfully demands a trial by jury of all issues so triable in this action.

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2 Dated: February 1, 2016

Respectfully Submitted,

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DUANE MORRIS LLP

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